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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/797,066	03/11/2004	Yukiko Yamazaki	249506US2	4697

22850 7590 01/29/2008
OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C.
1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER

WILLS, LAWRENCE E

ART UNIT	PAPER NUMBER
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2625

NOTIFICATION DATE	DELIVERY MODE
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01/29/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/797,066	Applicant(s) YAMAZAKI ET AL.	
	Examiner Lawrence E. Wills	Art Unit 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 30-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 30-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>6/5/2007, 6/14/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: There is no written description of Figure 3, numbers 301, 302, 303, or 304 in the specification.
2. The attempt to incorporate subject matter into this application by reference to above-mentioned paper by Suzue et al. (page 14, lines 4-5) is ineffective because the specification fails to mention the paper by Suzue before page 14.
3. The incorporation by reference will not be effective until correction is made to comply with 37 CFR 1.57(b), (c), or (d). If the incorporated material is relied upon to meet any outstanding objection, rejection, or other requirement imposed by the Office, the correction must be made within any time period set by the Office for responding to the objection, rejection, or other requirement for the incorporation to be effective. Compliance will not be held in abeyance with respect to responding to the objection, rejection, or other requirement for the incorporation to be effective. In no case may the correction be made later than the close of prosecution as defined in 37 CFR 1.114(b), or abandonment of the application, whichever occurs earlier.

Any correction inserting material by amendment that was previously incorporated by reference must be accompanied by a statement that the material being inserted is the material incorporated by reference and the amendment contains no new matter. 37 CFR 1.57(f).

Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 30-35 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The covering of image area information to coordinates of a rectangle is not described in the specification. Figure 3 is the flowchart of the rectangle processing method, but there is no mention of Figure 3 in the specification.

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 30-35 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 30, it is unclear if "the image data" (page 2, line 11) is the same as "an input image data" (page 2, line 8).

Regarding claim 31, it is unclear if "the image information" (page 2, line 19) is the same as "image area information" (claim 30, page 2, line 7)

Regarding claim 32, it is unclear if "the image data" (page 3, line 2) is the same as "an input image data" (page 2, line 24).

Regarding claim 33, it is unclear if "the image information" (page 3, line 10) is the same as "image area information" (claim 32, page 2, line 23)

Regarding claim 34, it is unclear if "the image data" (page 3, line 19) is the same as "an input image data" (page 3, line 17).

Regarding claim 35, it is unclear if "the image information" (page 4, line 3) is the same as "image area information" (claim 34, page 3, line 16)

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. Claims 30-35 rejected under 35 U.S.C. 102(b) as being anticipated by Kohchi (US PG Pub No. 2002/0006220).

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Regarding claim 30, Kohchi'220 teaches an image processing apparatus comprising: a converting unit (document-image recognition device, paragraph 70) that converts image area information, which includes color information, edge information, and half-dot information of an input image data, to coordinates of a rectangle (rectangle data a set of information including coordinates of top left and bottom right corners, and an attribute of the rectangle such as a character, ruled line, figure, photograph, and the like, paragraph, 71); an embedding unit (document-image recognition device, paragraph 61) that embeds the color information, which is included in the image area information, into the image data (document recognition device sets a representative color of a grating 'i' to a representative color C_i , paragraph 61); and an attaching unit (document-image recognition device, paragraph 70) that attaches the coordinates of the rectangle, as a tag information, to the image data that is embedded with the color information (rectangle data a set of information including coordinates of top left and bottom right corners, and an attribute of the rectangle such as a character, ruled line, figure, photograph, and the like, paragraph, 71)).

Regarding claim 31, Kohchi'220 teaches an extracting unit (document-image recognition device, paragraph 70) that extracts the tag information out of the image data that is attached with the tag information (text codes can be recognized from the result of the OCR process and coordinates of the figures and the photographs can be detected from the result of the area separation process, paragraph 52); and an image processing unit (document-image recognition device, paragraph 70) that processes the image

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information based on the tag information that is extracted by the extracting unit (document can be reproduced in a PDF, PS, or RTF format. In such a case, the figures and the photographs are expressed in original colors expressed in the original image, paragraph 52).

Regarding claim 32, Kohchi'220 teaches an image processing method comprising: converting image area information, which includes color information, edge information, and halftone information of an input image data, to coordinates of a rectangle (rectangle data a set of information including coordinates of top left and bottom right corners, and an attribute of the rectangle such as a character, ruled line, figure, photograph, and the like, paragraph, 71); embedding the color information, which is included in the image area information, into the image data (document recognition device sets a representative color of a grating 'i' to a representative color C_i , paragraph 61); and attaching the coordinates of the rectangle, as a tag information, to the image data that is embedded with the color information (rectangle data a set of information including coordinates of top left and bottom right corners, and an attribute of the rectangle such as a character, ruled line, figure, photograph, and the like, paragraph, 71).

Regarding claim 33, Kohchi'220 teaches extracting the tag information out of the image data that is attached with the tag information (text codes can be recognized from the result of the OCR process and coordinates of the figures and the photographs can be detected from the result of the area separation process, paragraph 52); and processing

the image information based on the tag information that is extracted by the extracting unit (document can be reproduced in a PDF, PS, or RTF format. In such a case, the figures and the photographs are expressed in original colors expressed in the original image, paragraph 52).

Regarding claim 34, Kohchi'220 teaches a computer readable recording medium that stores instructions of a computer program, which when executed by a computer results in performance of steps (a program carrying out a process is stored on a CD-ROM, paragraph 44) comprising: converting image area information, which includes color information, edge information, and halfdot information of an input image data, to coordinates of a rectangle (rectangle data a set of information including coordinates of top left and bottom right corners, and an attribute of the rectangle such as a character, ruled line, figure, photograph, and the like, paragraph, 71); embedding the color information, which is included in the image area information, into the image data (document recognition device sets a representative color of a grating 'i' to a representative color C_i , paragraph 61); and attaching the coordinates of the rectangle, as a tag information, to the image data that is embedded with the color information (rectangle data a set of information including coordinates of top left and bottom right corners, and an attribute of the rectangle such as a character, ruled line, figure, photograph, and the like, paragraph, 71).

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Regarding claim 35, Kohchi'220 teaches extracting the tag information out of the image data that is attached with the tag information (text codes can be recognized from the result of the OCR process and coordinates of the figures and the photographs can be detected from the result of the area separation process, paragraph 52); and processing the image information based on the tag information that is extracted by the extracting unit (document can be reproduced in a PDF, PS, or RTF format. In such a case, the figures and the photographs are expressed in original colors expressed in the original image, paragraph 52).

Conclusion

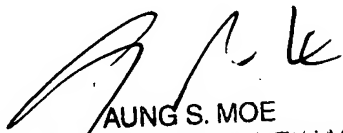
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lawrence E. Wills whose telephone number is 571-270-3145. The examiner can normally be reached on Monday-Friday 7:30 AM - 4:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Aung Moe can be reached on 571-272-7314. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

LEW
January 17, 2008


AUNG S. MOE
SUPERVISORY PATENT EXAMINER
1/22/08